
Introduced by Senator Scott

February 20, 2004

An act to amend Section 54954 of the Government Code, relating to school districts.

LEGISLATIVE COUNSEL'S DIGEST

SB 1771, as introduced, Scott. School district governing boards: meetings.

Existing law requires meetings of the governing board of a school district to be held within the district except under certain circumstances, including, but not limited to, a meeting for the purpose of interviewing members of the public residing in another district with reference to the trustees' potential employment of the superintendent of that district.

This bill would also permit a meeting to be held in another district to interview members of the public residing in another district with reference to the potential employment of an applicant for the position of superintendent of the district.

Vote: majority. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 54954 of the Government Code is
2 amended to read:
3 54954. (a) Each legislative body of a local agency, except for
4 advisory committees or standing committees, shall provide, by
5 ordinance, resolution, bylaws, or by whatever other rule is
6 required for the conduct of business by that body, the time and
7 place for holding regular meetings. Meetings of advisory

1 committees or standing committees, for which an agenda is posted
2 at least 72 hours in advance of the meeting pursuant to subdivision
3 (a) of Section 54954.2, shall be considered for purposes of this
4 chapter as regular meetings of the legislative body.

5 (b) Regular and special meetings of the legislative body shall
6 be held within the boundaries of the territory over which the local
7 agency exercises jurisdiction, except to do any of the following:

8 (1) Comply with state or federal law or court order, or attend
9 a judicial or administrative proceeding to which the local agency
10 is a party.

11 (2) Inspect real or personal property which cannot be
12 conveniently brought within the boundaries of the territory over
13 which the local agency exercises jurisdiction provided that the
14 topic of the meeting is limited to items directly related to the real
15 or personal property.

16 (3) Participate in meetings or discussions of multiagency
17 significance that are outside the boundaries of a local agency's
18 jurisdiction. However, any meeting or discussion held pursuant to
19 this subdivision shall take place within the jurisdiction of one of
20 the participating local agencies and be noticed by all participating
21 agencies as provided for in this chapter.

22 (4) Meet in the closest meeting facility if the local agency has
23 no meeting facility within the boundaries of the territory over
24 which the local agency exercises jurisdiction, or at the principal
25 office of the local agency if that office is located outside the
26 territory over which the agency exercises jurisdiction.

27 (5) Meet outside their immediate jurisdiction with elected or
28 appointed officials of the United States or the State of California
29 when a local meeting would be impractical, solely to discuss a
30 legislative or regulatory issue affecting the local agency and over
31 which the federal or state officials have jurisdiction.

32 (6) Meet outside their immediate jurisdiction if the meeting
33 takes place in or nearby a facility owned by the agency, provided
34 that the topic of the meeting is limited to items directly related to
35 the facility.

36 (7) Visit the office of the local agency's legal counsel for a
37 closed session on pending litigation held pursuant to Section
38 54956.9, when to do so would reduce legal fees or costs.



(c) Meetings of the governing board of a school district shall be held within the district, except under the circumstances enumerated in subdivision (b), or to do any of the following:

(1) Attend a conference on nonadversarial collective bargaining techniques.

(2) Interview members of the public residing in another district with reference to the trustees' potential employment *of an applicant for the position* of the superintendent of ~~that~~ *the* district.

(3) Interview a potential employee from another district.

(d) Meetings of a joint powers authority shall occur within the territory of at least one of its member agencies, or as provided in subdivision (b). However, a joint powers authority which has members throughout the state may meet at any facility in the state which complies with the requirements of Section 54961.

(e) If, by reason of fire, flood, earthquake, or other emergency, it shall be unsafe to meet in the place designated, the meetings shall be held for the duration of the emergency at the place designated by the presiding officer of the legislative body or his or her designee in a notice to the local media that have requested notice pursuant to Section 54956, by the most rapid means of communication available at the time.

